



Aliza Pescovitz Malouf

Akerman LLP  
The Victor Building  
750 9th Street, N.W., Suite 750  
Washington, DC 20001

December 19, 2023

Mario E. Castro  
419 West Hills Road  
Mellville, NY 11747

**Re: Mario E. Castro v. Newrez LLC, et al., Case No. 2:22-cv-06340-PKC-JMW**

Dear Mr. Castro: :

This firm represents defendants The Bank of New York Mellon, Inc. (**BoNYM**) and NewRez LLC d/b/a Shellpoint Mortgage Servicing (**Shellpoint**) in the above captioned matter.

In response to your request for an extension of time [ECF Dkt. 55], wherein you claim you did not receive the opening brief documents, BoNYM and Shellpoint hereby re-serve defendant's Motion to Dismiss. We include with this letter the following documents:

- 1.) Notice of Motion
- 2.) Memorandum of Law in Support of Motion
- 3.) Declaration of Aliza Malouf in Support of Motion
- 4.) Notice to Pro Se Litigants

Pursuant to the Honorable Pamela K. Chen's October 10, 2023 Order, the Court will follow a modified bundling rule pursuant to the Court's Individual Rule 3.D. BoNYM and Shellpoint will not file the motion papers electronically until the motion has been fully briefed.

Sincerely,

/s/Aliza Pescovitz Malouf  
Partner

Enclosures: Notice of Motion  
Memorandum of Law in Support of Motion  
Declaration of Aliza Malouf in Support of Motion  
Notice to Pro Se Litigants

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cc: VIA ECF FILING (without enclosures)  
United states District Court, Eastern District of New York  
Hon. Pamela K. Chen  
hon. James M. wicks, Magistrate Judge  
225 Cadman Plaza East  
Brooklyn, New York 11201

VIA OVERNIGHT MAIL (with enclosures)  
Jonathan M. Marmo  
1650 Market Street, Suite 3300  
Philadelphia, PA 19103  
215-252-9568

Julius Karey  
Jones Day  
250 Vesey Street  
Floor 31  
New York, NY 10281  
212-326-8305

Camille Renee Nicodemus  
Schuckit & Associates, P.C.  
4545 Northwestern drive  
Zionsville, IN 46077  
317-363-2400

Dustin Peter Mansoor  
Seyfarth Shaw  
620 8th Avenue  
New York, NY 10018  
212-218-3391